

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

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JEFFREY TURNER,  
Plaintiff,

v.

JOHN WETZEL, et al.,  
Defendants.

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CIVIL ACTION NO. 3:13-CV-2680

(Judge Kosik)

**ORDER**

AND NOW, THIS 28<sup>TH</sup> DAY OF SEPTEMBER, 2015, IT APPEARING TO THE COURT THAT:

(1) On September 10, 2015, Magistrate Judge Martin C. Carlson filed a Report and Recommendation (Doc. 86) in this action, recommending that:

Accordingly, for the foregoing reasons, the defendants' Motion for Extension of Time, (Doc. 85.), is GRANTED. IT IS FURTHER RECOMMENDED that the plaintiff's Motion to Amend, (Doc. 70.), for Extension of Time, (Doc. 76.), for Leave to Proceed *In Forma Pauperis*, (Doc. 80.) AND Motion to Lif(t) (sic) Stay, (Doc. 84.), all of which propose that additional plaintiffs be added in a piecemeal fashion to this litigation without providing any pleadings setting forth well-pleaded facts allowing the court to determine whether joinder is proper, be DENIED. Instead, IT IS FURTHER RECOMMENDED that the court first direct individual putative plaintiffs to file independent complaints detailing their claims, along with complete IFP paperwork which meets the requirements of the PLRA. Once individual plaintiffs have taken this step, the court and the parties will be able to make informed judgments concerning which claims can survive dispositive motions, and whether the requirements of Rule 20 for permissive joinder of claims are satisfied.

(2) On September 21, 2015, Plaintiff filed a Motion for Enlargement of Time (Doc. 87), requesting an Extension of sixty (60) days in order "to make advised corrections specified within the Court's Report and recommendation dated 9/10/2015";

(3) No objections were filed to the Report and Recommendation;

AND FURTHER APPEARING THAT:

(4) If no objections are filed to a Magistrate Judge's Report and Recommendation, the plaintiff is not statutorily entitled to a de novo review of his claims. 28 U.S.C.A. §636(b)(1)(C); Thomas v. Arn, 474 U.S. 140, 150-53 (1985). Nonetheless, the usual practice of the district court is to give "reasoned consideration" to a magistrate judge's report prior to adopting it. Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987);

(5) We have reviewed the Report and Recommendation of the Magistrate Judge and we concur with his recommendation;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Judge Martin C. Carlson filed September 10, 2015 (Doc. 86) is **ADOPTED**;

(2) The Plaintiff's Motion to Amend, (Doc. 70), for Extension of Time, (Doc. 76), for Leave to Proceed In Forma Pauperis, (Doc. 80), and Motion to Lift Stay, (Doc. 84) are **DENIED**;

(3) Individual putative plaintiffs are **DIRECTED** to file independent complaints detailing their claims, along with complete IFP paperwork which meets the requirements of the PLRA. Once individual plaintiffs have taken this step, the court and the parties will be able to make informed judgments concerning which claims can survive dispositive motions, and whether the requirements of Rule 20 for permissive joinder of claims are satisfied; and,

(4) Plaintiff's Motion for Enlargement of Time (Doc. 87) to comply with this Order is **GRANTED**; and, Plaintiff is allowed sixty (60) days from the date of this Order in which to comply.

s/Edwin M. Kosik

Edwin M. Kosik  
United States District Judge